To His Grace His Majesties High Commissioner, and the Right Honourable the Estates of Parliament;

The Petition of Alexander Hamiltoun *of* Kinkel.

Humbly sheweth,

THAT where by the Claim of Right, It is provided that all Forfaulters, Fines, loss of Offices, Imprisonments, Banishments, Persuits, persecutions, tortours, and rigorous executions, in the time of the late Reigns be considered, and the parties leised, redressed; True it is,that your Petitioner being guiltie of nothing, save *Ecclesiastick non conformite*; Yet in *March* 1675, A Garison of Souldiers were put in your Petitioners House, and possessed the same, forceing him and his Family to flee from it, when his Wife was bigg with Child, and knew not where to retire; And these Souldiers seised upon the Plenishing of your Petitioners house, and upon all his Corns in Barn or Barn-yeard, which were in value above Ten Chalders of Victual, which at that time gave a very considerable price; So that his dammages at that time sustained in his Plenishing, horse Kine, and Corns, did extend to above six Thousand Merks, and farder within a few weeks thereafrer your petitioner was intercommuned as a fugitive and rebel,in which hardship and distress your *P*etitioner continued for the space of 14 years, and all that time never returned to his own house; But for three years of the 14, was under an Inditement of high Treason, and lay Prisoner in the Tolbuith of *Edinburgh*, for the space of eighteen Moneths, and the last six years thereof, was confined to the Town of *Edinburgh*, Whereby it appears, That your Petitioners Sufferings, Loss and Persecutions, have been very great. As also, That in all that time, your petitioner could neither prosecute nor defend any Rights pertaining to him, but was exposed to the running of all prescriptions, for no Fault nor Negligence could be reckoned on his part.

May it therefore please Your Grace and Lordships, To take the Premisses to your Consideration, for Reparation of your Petitioners Losses, and Sufferings, in such manner as shall be thought most effectual. And farder to Declare, That in case there be any Prescriptions run against your Petitioner, that the saids fourteen Years of your Petitioners Distress may not be reckoned, but discounted. In respect it is evident, That your Petitioner was utterly non valens agere, *which in all Law hinders the course of Prescription.* And your Grace and Lordships Petitioner shall ever pray.

Alexr Hamilton
at Elmbold